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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) |   | Application Number     | 09/942,407      |
|   |   | Filing Date            | August 29, 2001 |
|   |   | First Named Inventor   | Daniel V. SANTI |
|   |   | Group Art Unit         | 1652            |
|   |   | Examiner Name          | K. Kerr         |
| Total Number of Pages in This Submission  | 4 | Attorney Docket Number | 300622004910    |

**ENCLOSURES (check all that apply)**

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| Firm or Individual Name | MORRISON & FOERSTER LLP<br>Carolyn A. Favorito - 39,183 |
| Signature               | <i>Santi</i>  |
| Date                    | July 16, 2003   |

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PATENT  
Docket No. 300622004910

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel V. SANTI, et al.

Serial No.: 09/942,407

Filing Date: August 29, 2001

For: ISOLATED GENE FOR  
METHYMALONYL COA EPIMERASE  
AND USES THEREOF

Examiner: K. Kerr

Group Art Unit: 1652

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whose address is Morrison & Foerster LLP, 3811 Valley Centre Drive, Suite 500, San Diego, California 92130-2332, and Gary Ashley (Reg No. 51,418) whose address is Kosan Biosciences, Inc., 3832 Bay Center Place, Hayward, California 94545, as my associates in the above-identified patent application to inspect the file, to prepare and file amendments, to inspect and make copies thereof and of any papers in any appellate or *inter partes* proceedings in which the application may be or become involved, and generally to conduct all business in the United States Patent and Trademark Office relating to the prosecution of the application or any application that claims priority from this application provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster LLP as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

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Respectfully submitted,



Dated: July 16, 2003

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